

Remarks

The Office Action has set forth a restriction requirement stating that the application contains the following inventions:

- I. Invention I: Claims 26-47 and 51, drawn to a system for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user...classified in class 709, subclass 208,
- II. Invention II: Claims 48-50 directed to method for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user, wherein said method comprising:...classified in class 709, subclass 247.

In response to the restriction requirement, applicant elects, with traverse, claims 26-47 and 51, i.e., invention I, drawn to a system for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user..., and withdraws claims 48-50 without prejudice.

The restriction requirement is traversed (under 37 CFR 1.143) for the reasons enumerated below:

The invention of group I (claims 26-47 and 51), and group II (claims 48-50) are not patentably distinct since they do not have separate utility other than “a method and system for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the

processed information from the primary processing unit back to the mobile input/output device for display and use by a user”, and therefore overlap in scope.

Claims 48-50 of group II recite a method for remotely operating a primary processing unit using the input/output facilities of the mobile input/output device, and the corresponding limitations in the method claim 48 recite, inter alia, the back and forth movement of raw input information and processed output information between the primary processing unit and the mobile input/output device, irrespective of the communication network used for transmitting information, for example, a third party communication network and/or the public internet. Claims 26-47 and 51 of group I, directed to a system, recite the primary processing unit, the mobile input/output device and its constituents, and a third party communication network as limitations, in order to fulfill the statutory requirement of providing physical enablement of the method claimed in claims 48-50. Furthermore, the method claims 48-50 **only recite the steps involved** in operating a primary processing unit using the mobile input/output device, and the relationship between those steps. However, it is the system claims 26-47 and 51 that **state the relationship between the system elements** and their constituents. For example, system claim 26 states the relationship between the mobile input/output device, the user interface, the transceiver, etc. Accordingly, applicant respectfully submits that the method claims 48-50 and the system claims 26-47 and 51 need to be examined together within a single patent application, since each of the method claims and system claims falls within an enumerated statutory category, and importantly since the method claims 48-50 and the system claims 26-47 and 51 are co-extensive.

If the Examiner’s reasoning for requiring restriction/election is the presence of the seemingly detached limitations such as “digitizing and compressing said information by said mobile input/output device”, “converting said digitized and compressed information to a plurality of electronic signals by said mobile input/output device”, “receiving and decoding said transmitted electronic signals by said primary processing unit”, etc. in method claim 48, applicant submits that these limitations do not provide a separate utility other than “sending information from a mobile input/output device to a primary

processing unit for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user”. Applicant discloses that compression or encoding is an integral detail occurring at the primary processing unit and the mobile input/output device recited in applicant’s system and method. Compression at the transmitting end is a prerequisite for **transmitting information in real-time** mobile access and interaction applications such as the method and system disclosed by the applicant. Decoding at the receiving end of the transmission is also equally essential (see applicant’s disclosure, paragraphs [0032] through [0038]).

Applicant submits that the method claims 48-50 and the system claims 26-47 and 51 have the same utility, notwithstanding the details of compression and decoding of information. Nevertheless, the details of compression and decoding of information is also covered in the system dependent claim 51. Applicant also submits that minor amendments to either the present system independent claim or the method independent claim could bring the claims to conform to each other.

Hence, applicant respectfully submits that the claims in Group I (claims 26-47 and 51) and the claims in Group II (claims 48-50) are coextensive in the patent application, in that the claims respectively recite a system for remotely operating a primary processing unit using the mobile input/output device and a method for remotely operating a primary processing unit using the input/output facilities of the mobile input/output device.

Furthermore, to enable the complete utility and functioning of the invention, it is necessary to incorporate the “**system** for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user...” and the “**method** for sending information from a mobile input/output device to a primary processing unit for receiving and processing the information sent, and transmitting the processed information from the

primary processing unit back to the mobile input/output device for display and use by a user..." as an integral part of the same invention.

Accordingly, applicant respectfully submits that the claims of Group I (claims 26-47 and 51) and claims of Group II (claims 48-50) are not separately usable from one another.

In view of the above arguments presented by applicant, applicant respectfully submits that the restriction requirement be reconsidered and withdrawn.

Conclusion

Applicant respectfully requests that the requirement for restriction be reconsidered and withdrawn. If, in the opinion of Examiner Barqadle a telephone conference would expedite the prosecution of this application, Examiner Barqadle is requested to call the undersigned.

Respectfully submitted,

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